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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/015,458

Applicant(s)

ORTIZ ET AL.

Examiner

CHRISS S. YODER III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 127-175 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 127-175 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim 127, 134, 138, 145, 151, 164, 170, and 175 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 127-133 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verna (US Patent 6,681,398) in view of Rostoker et al. (US Patent 5,793,416), and further in view of Leermakers (US Pub. 2003/0105845).**
2. In regard to **claim 127**, note Verna discloses a method for transmitting venue-based in-play camera views for display at authorized hand held device (column 3, lines 43-60, column 4, lines 36-52, and figure 1), said method comprising the steps of transmitting in-play camera views from at least one in-play camera located at an in-play camera location within an entertainment venue for viewing by handheld devices authorized to receive and process said in-play

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camera view (column 11, lines 18-32), processing said in-play camera view for display on displays associated with said hand held devices (column 16, lines 16-65), and enabling display of said in-play camera view on said displays (column 16, lines 16-65). Although, Verna discloses that the transmission can be performed using any known transmission means (column 11, lines 55-63), and that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the transmission is done over a cellular telecommunications network, and that the handheld devices include video- and data-enabled cellular telephones and PDA capabilities.

In analogous art, Rostoker discloses the use of a cellular communications network for transmitting video to a handheld device (column 5, lines 29-50). Rostoker teaches that the use of a cellular communications network to transmit video to a handheld device is preferred in order to allow communication to be maintained while roaming from cell site to cell site (column 3, lines 14-30). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of a cellular communications network for transmitting video to a handheld device in order to allow communication to be maintained while roaming from cell site to cell site, thereby increasing the communication range of the system through the use of multiple cell sites, as suggested by Rostoker.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that

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includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

3. In regard to **claim 128**, note Verna discloses recording a particular in-play camera view transmitted from said at least one in-play camera in response to user input at a hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).
4. In regard to **claim 129**, note Verna discloses storing a particular in-play camera view transmitted from said at least one in-play camera in response to user input at a hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).
5. In regard to **claim 130**, note Verna discloses that the step of recording a particular in-play camera view transmitted from said at least one in-play camera further comprises the step of storing said particular in-play camera view within a

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memory in said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

6. In regard to **claim 131**, note Verna discloses that said particular in-play camera view comprises an instant replay (column 7, lines 41-46).

7. In regard to **claim 132**, note Verna discloses that the cameras are used to capture video of a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack). Therefore, it can be seen that the primary reference of Verna in view of Rostoker and Leermakers fails to explicitly disclose that said in-play camera location comprises a placement within a race car competing within the racing venue. Official Notice is taken that the concepts and advantages of placing a camera within a race car competing within a racing venue are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to place the camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race.

Additionally, the use of a camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race, is now taken to be admitted prior art because Applicant failed to traverse the Examiner's assertion of Official Notice in reply to the Office Action in which the common knowledge statement was made. See MPEP §2144.03.

8. In regard to **claim 133**, note Verna discloses that said venue comprises a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack).

9. **Claim 134 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hardacker (US PGPub. 2002/0115454), in view of Leermakers (US Pub. 2003/0105845).**

10. In regard to **claim 134**, note Hardacker discloses a method of providing video entertainment comprising the steps of capturing at least one in-play camera view from at least one in-play camera located within a race car competing within a car racing venue for viewing by at least one handheld device located within the racing venue and authorized to receive and process said in-play camera view (paragraphs 0017-0018), processing said at least one in-play camera view for display on a display associated with a hand held device (paragraph 0024), transmitting said at least one in-play camera view to at least one handheld device located within the racing venue and authorized to receive and process said at least one in-play camera view (paragraphs 0017-0018), and displaying said at least one in-play camera view on a display associated with at least one hand held device physically located within said racing venue and authorized to receive, process and display at least one in-play camera view (paragraph 0020). Although, Hardacker discloses that the handheld devices can have video- and data-enabled PDA capabilities (paragraphs 0012 and 0020), it can be seen that Hardacker fails to explicitly disclose that the handheld devices include video- and data-enabled cellular telephones.

In analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities

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(paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Hardacker to include the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

11. **Claims 135-137 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hardacker (US PGPub. 2002/0115454), in view of Leermakers (US Pub. 2003/0105845), and further in view of Narayanaswami (US Patent 6,657,654).**

12. In regard to **claim 135**, note the primary reference of Hardacker in view of Leermakers discloses the use of a method of providing video entertainment comprising the steps of capturing at least one in-play camera view from at least one in-play camera located within a race car competing within a car racing venue for viewing by at least one handheld device located within the racing venue and authorized to receive and process said in-play camera view, as claimed in claim

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134 above. Therefore, it can be seen that the primary reference fails to explicitly disclose the step of recording a particular in-play camera view captured by said at least one in-play camera within a hand held device in response to a user input at said hand held device.

In analogous art, Narayanaswami disclose the use of a handheld device that records data that is received from a camera (column 5, lines 45-47). It is commonly known in the art to record a video source in order to allow the user to playback the video at a later time. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Hardacker in view of Leermakers to include the step of recording a particular in-play camera view captured by said at least one in-play camera within a hand held device in response to a user input at said hand held device in order allow the user to replay the video at a later time.

13. In regard to **claim 136**, note the primary reference of Hardacker in view of Leermakers discloses the use of a method of providing video entertainment comprising the steps of capturing at least one in-play camera view from at least one in-play camera located within a race car competing within a car racing venue for viewing by at least one handheld device located within the racing venue and authorized to receive and process said in-play camera view, as claimed in claim 134 above. Therefore, it can be seen that the primary reference fails to explicitly disclose the step of storing a particular in-play camera view captured by said at least one in-play camera by a hand held device in response to a user input at said hand held device.

In analogous art, Narayanaswami disclose the use of a handheld device that records data that is received from a camera (column 5, lines 45-47). It is commonly known in the art to record a video source in order to allow the user to playback the video at a later time. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Hardacker in view of Leermakers to include the step of storing a particular in-play camera view captured by said at least one in-play camera by a hand held device in response to a user input at said hand held device in order allow the user to replay the video at a later time.

14. In regard to **claim 137**, note Narayanaswami discloses that the step of storing a particular in-play camera view transmitted from said at least one in-play camera further comprises the step of storing said particular in-play camera view within a memory in said hand held device (column 5, lines 45-47; the camera view is stored in memory 210).

15. **Claims 138-164, and 169-175 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verna (US Patent 6,681,398) in view of Vaisanen et al. (US Patent 6,560,443), and further in view of Leermakers (US Pub. 2003/0105845).**

16. In regard to **claim 138**, note Verna discloses a method for transmitting venue-based in-play camera views for display at a hand held device authorized to receive venue-based in-play camera views (column 3, lines 43-60, column 4, lines 36-52, and figure 1), said method comprising the steps of transmitting in-

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play camera views captured from at least one in-play camera located at an in-play camera location within an entertainment venue to enterprise equipment located at the entertainment venue (column 5, lines 34-55, and figure 1; the video signals are sent from each camera to the selection system 140), processing said in-play camera views at said enterprise equipment for secure transmission to at least one hand held device authorized with at least one security code to receive and display video on a display screen associated with said at least one hand held device (column 10, lines 52-65; the video is encrypted and sent to the reviewing devices), and securely transmitting processed in-play camera views to at least one hand held (column 21, lines 55-67; the video is encrypted and sent to the reviewing devices, where it is decrypted). Although, Verna discloses that the transmission can be performed using any known transmission means (column 11, lines 55-63), and that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the transmission is done over 802.11 radio frequency transmissions, and that the handheld devices include video- and data-enabled cellular telephones and PDA capabilities, and 802.11 wireless capabilities.

In analogous art, Vaisanen discloses the use of 802.11 radio frequency transmissions for communication with a handheld device (column 5, lines 29-50). Vaisanen teaches that the use of 802.11 radio frequencies for communications with a handheld device is preferred in order to allow the use of license-free wireless communications that are available worldwide (column 1, lines 31-38). Therefore, it would have been obvious to one of ordinary skill in the art to modify

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the primary reference of Verna to include the use of 802.11 radio frequency transmissions for communication with the handheld device, in order to allow the use of license-free wireless communications that are available worldwide, as suggested by Vaisanen.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

17. In regard to **claim 139**, note Verna discloses receiving processed in-play camera views at a hand held device (column 14, lines 24-32, and column 16, lines 59-65), processing said in-play camera views for viewing on a display associated with said hand held device (column 16, lines 16-25), and displaying

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said processed in-play camera views on the display screen associated with said hand held device (column 16, lines 59-65).

18. In regard to **claim 140**, note Verna discloses recording a particular in-play camera received by said hand held device in response to a user input at said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

19. In regard to **claim 141**, note Verna discloses storing a particular in-play camera received by said hand held device in response to a user input at said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

20. In regard to **claim 142**, note Verna discloses the storage of said particular in-play camera view within a memory in said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

21. In regard to **claim 143**, note Verna discloses that the cameras are used to capture video of a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack). Therefore, it can be seen that the primary reference of Verna in view of Vaisanen and Leermakers fails to explicitly disclose that said in-play camera location comprises a placement within a race car competing within the racing venue. Official Notice is taken that the concepts and advantages of placing a camera within a race car competing within a racing venue are notoriously well known and expected in the art. Therefore, it would have been obvious to one of

ordinary skill in the art to place the camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race.

Additionally, the use of a camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race, is now taken to be admitted prior art because Applicant failed to traverse the Examiner's assertion of Official Notice in reply to the Office Action in which the common knowledge statement was made. See MPEP §2144.03.

22. In regard to **claim 144**, note Verna discloses that said venue comprises a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack).

23. In regard to **claim 145**, note Verna discloses a method for receiving venue-based in-play camera views by a hand held device authorized by at least one security code to receive in-play camera views and adapted to display in-play camera views (column 3, lines 43-60, column 4, lines 36-52, column 21, lines 55-67, and figure 1), said method comprising the steps of receiving in-play camera views provided from at least one in-play camera at a hand held device authorized by at least one security code to receive said in-play camera views (column 21, lines 55-67), processing said in-play camera views for viewing on a display associated with said hand held device (column 16, lines 20-65), and displaying said processed in-play camera view on a display screen associated with said hand held device, thereby enabling hand held device users to view said in-play camera views through said hand held device authorized by at least one security code to receive said in-play camera views (column 16, lines 20-65). Although,

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Verna discloses that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the handheld device includes video- and data-enabled cellular telephones and PDA capabilities, and 802.11 wireless capabilities.

In analogous art, Vaisanen discloses the use of 802.11 radio frequency transmissions for communication with a handheld device (column 5, lines 29-50). Vaisanen teaches that the use of 802.11 radio frequencies for communications with a handheld device is preferred in order to allow the use of license-free wireless communications that are available worldwide (column 1, lines 31-38). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of 802.11 radio frequency transmissions for communication with the handheld device, in order to allow the use of license-free wireless communications that are available worldwide, as suggested by Vaisanen.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include

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the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

24. In regard to **claim 146**, note Verna discloses recording a particular in-play camera received by said hand held device in response to a user input at said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

25. In regard to **claim 147**, note Verna discloses storing a particular in-play camera received by said hand held device in response to a user input at said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

26. In regard to **claim 148**, note Verna discloses storing said particular in-play camera view within storage media in said hand held device (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

27. In regard to **claim 149**, note Verna discloses that the cameras are used to capture video of a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack). Therefore, it can be seen that the primary reference of Verna in view of Vaisanen and Leermakers fails to explicitly disclose that said in-play camera location comprises a placement within a race car competing within the racing

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venue. Official Notice is taken that the concepts and advantages of placing a camera within a race car competing within a racing venue are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to place the camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race.

Additionally, the use of a camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race, is now taken to be admitted prior art because Applicant failed to traverse the Examiner's assertion of Official Notice in reply to the Office Action in which the common knowledge statement was made. See MPEP §2144.03.

28. In regard to **claim 150**, note Verna discloses that said venue comprises a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack).

29. In regard to **claim 151**, note Verna discloses the use of a system for securely transmitting venue-based in-play camera views to wireless hand held devices authorized to receive and process said venue-based in-play camera views (column 4, lines 18-42 and column 5, lines 14-32), said system comprising transmitter adapted to securely transmit at least one in-play camera view from at least one in-play camera located at an in-play location within a live entertainment venue to wireless hand held devices authorized to receive and process venue-based in-play camera views (column 11, lines 18-32), and processor for processing said in-play camera view for secure transmission by said transmitter to wireless hand held devices (column 7, lines 8-13, column 12, lines 34-39, and

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column 16, lines 20-65). Although, Verna discloses that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the handheld device includes video- and data-enabled cellular telephones and PDA capabilities, and 802.11 wireless capabilities.

In analogous art, Vaisanen discloses the use of 802.11 radio frequency transmissions for communication with a handheld device (column 5, lines 29-50). Vaisanen teaches that the use of 802.11 radio frequencies for communications with a handheld device is preferred in order to allow the use of license-free wireless communications that are available worldwide (column 1, lines 31-38). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of 802.11 radio frequency transmissions for communication with the handheld device, in order to allow the use of license-free wireless communications that are available worldwide, as suggested by Vaisanen.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to

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one of ordinary skill in the art to modify the primary reference of Verna to include the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

30. In regard to **claim 152**, note Verna discloses the use of said wireless hand held devices located within said entertainment venue and adapted to securely receive at least one in-play camera view transmitted by said transmitter (column 14, lines 24-32, and column 16, lines 59-65) and to process said at least one in-play camera view for display on at least one display associated with said wireless hand held devices (column 16, lines 16-65).

31. In regard to **claim 153**, note Verna discloses the use of a recorder for recording a particular in-play camera view transmitted by said transmitter and received by said wireless hand held devices in response to a user input at said wireless hand held devices (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

32. In regard to **claim 154**, note Verna discloses the use of a storage media for storing a particular in-play camera view transmitted by said transmitter and received by said wireless hand held devices in response to a user input at said wireless hand held devices (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

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33. In regard to **claim 155**, note Verna discloses that said storage media further comprises a memory location (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

34. In regard to **claim 156**, note Verna discloses that the cameras are used to capture video of a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack). Therefore, it can be seen that the primary reference of Verna in view of Vaisanen and Leermakers fails to explicitly disclose that said in-play camera location comprises a placement within a race car competing within the racing venue. Official Notice is taken that the concepts and advantages of placing a camera within a race car competing within a racing venue are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to place the camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race.

Additionally, the use of a camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race, is now taken to be admitted prior art because Applicant failed to traverse the Examiner's assertion of Official Notice in reply to the Office Action in which the common knowledge statement was made. See MPEP §2144.03.

35. In regard to **claim 157**, note Verna discloses that said venue comprises a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack).

36. In regard to **claim 164**, note Verna discloses the use of a system for securely transmitting entertainment venue-based in-play camera views for display at wireless hand held devices authorized to receive, process and display the entertainment venue-based in-play camera views (column 4, lines 18-42, column 5, lines 14-32, and column 16, lines 59-65), said system comprising enterprise equipment including a processor and transmitter (column 5, lines 34-55, and figure 1; the video signals are sent from each camera to the selection system 140), said enterprise equipment adapted to securely transmit entertainment venue-based in-play camera views captured by at least one in-play camera located at the entertainment venue to wireless hand held devices authorized to receive, process and display said entertainment venue-based in-play camera views (column 11, lines 18-32). Although, Verna discloses that the transmission can be performed using any known transmission means (column 11, lines 55-63), and that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the transmitter is an 802.11 radio frequency transmitter, and that the handheld devices include video- and data-enabled cellular telephones and PDA capabilities, and 802.11 wireless capabilities.

In analogous art, Vaisanen discloses the use of 802.11 radio frequency transmissions for communication with a handheld device (column 5, lines 29-50). Vaisanen teaches that the use of 802.11 radio frequencies for communications with a handheld device is preferred in order to allow the use of license-free wireless communications that are available worldwide (column 1, lines 31-38).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of 802.11 radio frequency transmissions for communication with the handheld device, in order to allow the use of license-free wireless communications that are available worldwide, as suggested by Vaisanen.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

37. In regard to **claim 169**, note Verna discloses that said enterprise equipment is located in a sporting facility (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack).

38. In regard to **claim 170**, note Verna discloses the use of a system for receiving entertainment venue-based in-play camera views for display at wireless hand held devices authorized to receive, process and display the entertainment venue-based in-play camera views (column 3, lines 43-60, column 4, lines 36-52, and figure 1), said system comprising a receiver in a wireless hand held device authorized to receive, process and display the entertainment venue-based in-play camera views, said receiver adapted for securely receiving in-play camera views provided through a server and radio frequency transmitter from at least one in-play camera located at an entertainment venue (column 4, lines 36-52, column 16, lines 16-25, and column 21, lines 55-67; the selection system 140 is considered to be the server, which has a radio frequency transmitter 134 for transmitting the data to the handheld device), a processor in said wireless hand held device authorized to receive, process and display the entertainment venue-based in-play camera views, said processor adapted for processing said in-play camera views securely received by said receiver with an authorization code for secure viewing of said in-play camera views on a display associated with said hand held device (column 16, lines 16-50, and column 21, lines 55-67), and display in said wireless hand held device, said display adapted for displaying said in-play camera views processed by said processor (column 16, lines 59-65). Although, Verna discloses that the transmission can be performed using any known transmission means (column 11, lines 55-63), and that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the receiver is an 802.11 wireless

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receiver, that the transmitter is an 802.11 radio frequency transmitter, and that the handheld devices include video- and data-enabled cellular telephones and PDA capabilities, and 802.11 wireless capabilities.

In analogous art, Vaisanen discloses the use of 802.11 radio frequency transmissions for communication with a handheld device (column 5, lines 29-50). Vaisanen teaches that the use of 802.11 radio frequencies for communications with a handheld device is preferred in order to allow the use of license-free wireless communications that are available worldwide (column 1, lines 31-38). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of 802.11 radio frequency transmissions for communication with the handheld device, in order to allow the use of license-free wireless communications that are available worldwide, as suggested by Vaisanen.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of a handheld device that includes video- and data-enabled cellular

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telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

39. In regard to **claim 171**, note Verna discloses the use of a recorder adapted to record a particular in-play camera view received by said wireless hand held device in response to a user input (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

40. In regard to **claim 172**, note Verna discloses the use of a storage mechanism adapted to store a particular in-play camera view received by said wireless hand held device in response to a user input (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

41. In regard to **claim 173**, note Verna discloses that said storage mechanism comprises a memory location (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

42. In regard to **claim 174**, note Verna discloses that said memory location comprises storage media (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

44. In regard to **claim 175**, note Verna discloses the use of a live video entertainment system for securely transmitting entertainment venue-based in-play camera views to hand held devices authorized by a security code to receive

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and process said venue-based in-play camera views for display at the hand held devices (column 3, lines 43-60, column 4, lines 36-52, column 21, lines 55-67, and figure 1), said system comprising at least one in-play camera for capturing at least one in-play camera view from at least one in-play camera (column 4, lines 36-52), a processing means for processing said at least one in-play camera view for secure transmission to at least one wireless hand held device for display on said at least one hand held device (column 7, lines 8-13, column 11, lines 32-36, and column 16, lines 20-65), a wireless transmitter for securely transmitting said at least one in-play camera view to at least one wireless hand held device (column 11, lines 32-36), and at least one wireless hand held device authorized by at least one security code to receive and display said at least one in-play camera view (column 21, line 55 – column 22, line 2). Although, Verna discloses that the transmission can be performed using any known transmission means (column 11, lines 55-63), and that the handheld devices can be a known electronic device (column 13, lines 48-67), it can be seen that Verna fails to explicitly disclose that the transmitter is an 802.11 wireless transmitter, and that the handheld devices include video- and data-enabled cellular telephones and PDA capabilities, and 802.11 wireless capabilities.

In analogous art, Vaisanen discloses the use of 802.11 radio frequency transmissions for communication with a handheld device (column 5, lines 29-50). Vaisanen teaches that the use of 802.11 radio frequencies for communications with a handheld device is preferred in order to allow the use of license-free wireless communications that are available worldwide (column 1, lines 31-38).

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Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of 802.11 radio frequency transmissions for communication with the handheld device, in order to allow the use of license-free wireless communications that are available worldwide, as suggested by Vaisanen.

Also in analogous art, Leermakers discloses the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities (paragraph 0032). Leermakers teaches that the use of handheld device that includes video- and data-enabled cellular telephones and PDA capabilities is preferred in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications (paragraphs 0006-0009). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference of Verna to include the use of a handheld device that includes video- and data-enabled cellular telephones and PDA capabilities in order to provide a personal multimedia appliance that has fully integrated multimedia processing capabilities, that is compact and inexpensive, and has the capability to run, in real-time, a broad spectrum of different software applications, as suggested by Leermakers.

45. In regard to **claim 158**, note Verna discloses the use of a recorder for recording a particular in-play camera view transmitted from said at least one in-play camera, in response to a user input (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

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46. In regard to **claim 159**, note Verna discloses the use of a storage mechanism for storing a particular in-play camera view transmitted from said at least one in-play camera, in response to a user input (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

47. In regard to **claim 160**, note Verna discloses that said storage mechanism comprises a memory location (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

48. In regard to **claim 161**, note Verna discloses that said memory location further comprises storage media (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

49. In regard to **claim 162**, note Verna discloses that the cameras are used to capture video of a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack). Therefore, it can be seen that the primary reference of Verna in view of Vaisanen and Leermakers fails to explicitly disclose that said in-play camera location comprises a placement within a race car competing within the racing venue. Official Notice is taken that the concepts and advantages of placing a camera within a race car competing within a racing venue are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to place the camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race.

Additionally, the use of a camera within a race car competing within the racing venue in order to allow the fans to become more involved during the race, is now taken to be admitted prior art because Applicant failed to traverse the Examiner's assertion of Official Notice in reply to the Office Action in which the common knowledge statement was made. See MPEP §2144.03.

50. In regard to **claim 163**, note Verna discloses that said venue comprises a sporting event (column 4, lines 36-52 and column 5, lines 40-56; the system is operated in a sporting facility, which is considered to include a racetrack).

51. **Claims 165-168 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verna (US Patent 6,681,398) in view of Vaisanen et al. (US Patent 6,560,443), and further in view of Leermakers (US Pub. 2003/0105845) and Monroe (US Patent 6,970,183).**

52. In regard to **claim 165**, note the primary reference of Verna in view of Vaisanen and Leermakers discloses that the system further comprises at least one wireless hand held device (Verna: column 14, lines 24-32, and column 16, line 16 – column 17, line 11) including video- and data-enabled cellular telephones and PDA capabilities (Leermakers: paragraph 0032), and 802.11 wireless capabilities (Vaisanen: column 5, lines 29-50) and authorized to receive, process and display the entertainment venue-based in-play camera views and located in said entertainment venue (Verna: column 14, lines 24-32, and column 16, line 16 – column 17, line 11), said at least one hand held device including a display for displaying said processed in-play camera views (column 16, lines 59-

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65), an 802.11 radio frequency receiver for securely receiving processed in-play camera views (Verna: column 14, lines 24-32; and Vaisanen: column 5, lines 29-50; through the combination of Verna with Vaisanen, the in-play camera views are transmitted/received using an 802.11 radio frequency), a data communications transmitter/receiver for accessing remote data from remote servers (Verna: column 4, lines 53-61), and a processor for processing said in-play camera views and the remotely accessed data for display on a display included with said at least one hand held device (column 16, lines 16-25).

Therefore, it can be seen that the primary reference of Verna in view of Vaisanen and Leermakers fails to explicitly disclose that the handheld device includes the use of a cellular data communications transmitter/receiver for accessing remote venue entertainment data from remote servers.

In analogous art, Monroe discloses the use of a handheld device that includes the use of a cellular data communications transmitter/receiver for accessing remote data from remote servers, and that the remotely accessed data is processed for display (column 17, lines 64, and column 18, lines 32-62).

Monroe teaches that the use of a cellular data communications transmitter/receiver for accessing remote data from remote servers, and processing the accessed data for display is preferred in order to allow greater communication distances between the handheld device and the information server, thereby providing increased portability and access to information at remote locations (column 9, lines 23-39). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to include the

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use of a cellular data communications transmitter/receiver for accessing remote data from remote servers, and processing the remotely accessed data for display, in order to allow greater communication distances between the handheld device and the information server, thereby providing increased portability and access to information at remote locations, as suggested by Monroe.

53. In regard to **claim 166**, note Verna discloses the use of a storage mechanism for storing a particular in-play camera view transmitted from said at least one in-play camera in response to a user input (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

54. In regard to **claim 167**, note Verna discloses that said storage mechanism further comprises a memory location (column 15, lines 24-65, and column 19, lines 7-31; the user selected camera view is received and sent to storage).

55. In regard to **claim 168**, note the primary reference of Verna in view of Vaisanen, Leermakers and Monroe discloses the use of a system for securely transmitting entertainment venue-based in-play camera views for display at wireless hand held devices authorized to receive, process and display the entertainment venue-based in-play camera views, as claimed in claim 167 above. Therefore, it can be seen that the primary reference fails to disclose that said memory location comprises removable storage media. Official Notice is taken that the concepts and advantages of using a removable storage media are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify Verna to include the use of a

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removable storage media in order to allow image data to be transferred from one device to another without having to connect multiple devices, as well as to provide an expandable storage capacity by allowing the user to replace the storage media when it is full.

Additionally, the use of a removable storage media in order to allow image data to be transferred from one device to another without having to connect multiple devices, as well as to provide an expandable storage capacity by allowing the user to replace the storage media when it is full, is now taken to be admitted prior art because Applicant failed to traverse the Examiner's assertion of Official Notice in reply to the Office Action in which the common knowledge statement was made. See MPEP §2144.03.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US006757262B1: note the use of a handheld device that receives data wirelessly over plural different networks.

US006602191B2: note the use of a handheld device that receives data wirelessly over plural different networks.

US005822324A: note the use of a cell phone network to transfer interactive data.

US006754509B1: note the use of a smart phone.

US006442637B1: note the use of an expandable handheld device.

US006714797B1: note the use of a mobile device that can switch between different networks.

US006034621A: note the use of a cellular network used to transfer data.

US005797089A: note the use of a handheld device having cell phone and PDA capabilities.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CHRISS S. YODER III** whose telephone number is (571)272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622

/C. S. Y./
Examiner, Art Unit 2622